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November 12, 2025

MEMO

TO: Village of Warwick Planning Board
Applicant

CC: Kristin Bialosky, Planning Board Clerk
Keith Woodruff, Village Engineer

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of
27 Van Duzer Place
204-1-19

I have reviewed the application of Freeborn Jewett and Elizabeth Jewett for a 2 lot residential subdivision. I offer the following comments:

Comment	Status
1. The Property is located in the R zoning district. A single-family residence is a permitted use subject to use group "b".	For Information
2. Subdivision is governed by Chapter 120 of the Village of Warwick Village Code. I am of the opinion that the proposal qualifies as a minor subdivision which is defined as "Any subdivision containing not more than four lots fronting on an existing street, not involving any new street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map or Zoning Ordinance, if such exists, or this chapter." The procedure for review of a minor subdivision is set forth in § 120-5.	For Information

3. Property is located within the Historic District.	For Information
4. Application is subject to GML 239 due to its proximity to NYS Route 17A/NYS 94.	For Information
5. A public hearing is required. See 120-5(F).	For Information
6. SEQR: The proposed action is an unlisted action. EAF Comments: • # 12b – Applicant to address yes answer. Recommend referral to SHPO • # 15 - EAF indicates presence of Indiana Bat. Restrictions on tree clearing per NYS DEC shall be made a condition of approval.	
7. The site is the subject of a conservation easement. The recording information of the conservation easement should be noted on the plan. Applicant to provide a copy of the easement for review by the Planning Board Attorney.	
8. I note the presence of multiple easements including the Village's sewer easement and a driveway easement. Recording information to be added to the plan and copies to be provided to the Planning Board for review.	
9. Architectural Plans are subject to review by AHDRB.	For Information
10. Applicant to provide shared driveway agreement for review and approval. Such agreement shall be a condition of approval.	
11. Recommend that the plans be referred to Fire Department for review and comment to ensure adequate access for fire equipment.	

This memorandum represents a review of an initial submission. Future submissions may generate additional comments.

Recommended action:

Declare lead agency

Declare the proposal to be a minor subdivision and refer for GML 239